

Olean City School District
Discrimination / Harassment Complaint Procedures

The Olean City School District (OCSD) is committed to provide an environment that is free of discrimination, harassment and intimidation. OCSD will act to promptly investigate all complaints, either verbal or written, formal or informal, of discrimination and/or harassment.

1. OCSD encourages you to promptly notify the person committing the action that his/her behavior is not welcomed and request it be discontinued. Often this action alone will resolve the problem. OCSD recognizes, however, that an individual may prefer to pursue the matter through complaint procedures, as outlined below.
2. Any employee or student in the District who wishes to file a complaint regarding discrimination and/or harassment shall, if possible, make such complaint in writing using the Complaint Form affixed hereto or by emailing CivilRightsCompliance@olean.wnyric.org. In order to adequately address the situation, complaints are to be filed immediately, or as soon as practicable, after the discriminatory / harassing conduct occurs.
3. If you are unable to make the complaint in writing, you may contact your Supervisor, Principal, Instructor, Counselor, Administrator or the Civil Rights Compliance Officer to assist with the Complaint Form. A written complaint must be signed by the complainant and include, at a minimum, the following information:
 - a. Date(s), time(s) and place(s) of alleged incidents;
 - b. Name or identifier of person(s) committing the discriminatory/harassing action against complainant;
 - c. Description of incident(s);
 - d. Witnesses, if any;
 - e. Other relevant information; and
 - f. Desired resolution (what do want to see change as result of this investigation).
4. The written complaint form should be forwarded to the Civil Rights Compliance Officer at the address, email or fax number listed on the form, or a building principal.
5. The Compliance Officer or his/her designee will:
 - a. Investigate the complaint in a prompt and equitable manner. The investigation may consist of personal interviews with the complainant, any alleged offender(s) and any other witnesses who may have knowledge of circumstances leading to the complaint.
 - b. Notify the complainant, the alleged offender, the District Superintendent, and any others who need to be advised, of the outcome of the investigation within 90 calendar days. If additional time is needed for good cause (e.g., key witnesses cannot be interviewed in a timely manner), the decision will be made as soon as reasonably possible. If the decision is to be delayed, the parties will be notified of such delay.
 - c. Recommend changes, if any be made based on the outcome of the investigation.
6. If any of the material parties disagrees with the decision of the investigation, they must notify the Compliance Officer or District Superintendent in writing within one (1) week (7 calendar days) of the decision.
7. Any material party may appeal the decision to the District Superintendent.
 - a. The District Superintendent, or his/her designee, will review the results of the investigation (including any reports) and may, among other things, conduct additional interviews or request additional information needed to ensure an equitable decision.
 - b. The District Superintendent, or his/her designee, will notify any/all material parties, and any others who need to know, within three (3) weeks (21 calendar days), unless additional time is needed for good cause, of his/her decision in writing.

8. If not satisfied with the District Superintendent's decision, any material party may appeal the decision to the Board of Education within one (1) week (7 calendar days) of the issuance of the District Superintendent's decision.
 - a. The appeal shall be in the form of a letter from the material party, stating the reason for the disagreement with the District Superintendent's decision and request an appeal. The letter of appeal should be sent to the District Clerk of the Board of Education in addition to the District Superintendent's office and Compliance Officer.
 - b. The Board of Education (or a committee thereof) will review the results of the investigation, and if it deems appropriate, shall appoint an impartial party, not otherwise involved in the investigation of the complaint, to conduct a prompt, fair, equitable and thorough investigation.
 - c. The Board of Education (or its designee) will notify all material parties, and any others who need to know, within 60 (sixty) calendar days, unless additional time is needed for good cause, of their decision in writing.
9. If a material party fails to file an appeal at any stage of the appeal process, it will be assumed that the resolution is acceptable.
10. Any supervisor, employee or student who is found to have engaged in harassment or discrimination, or who has knowingly filed a false complaint, may be subject to appropriate disciplinary actions, up to and including termination.

Overview of Discrimination and/or Harassment

Discrimination refers to the act of denying rights, benefits, justice, equitable treatment, or access to facilities available to all others, to an individual or group of people because of their race, age, gender, disability or other defining characteristic.

Unlawful discrimination also includes harassment, including sexual harassment and/or sexual violence.

Harassment includes unwelcome verbal and/or physical conduct that offends an individual and/or creates an intimidating or hostile environment based upon the person's membership in a legally protected class.

Retaliation

The OCSD Board prohibits any retaliatory behavior directed against complainants, victims, witnesses or any other individuals who participated in the investigation of a complaint of harassment or discrimination. Any person who is found to have engaged in retaliation may be subject to appropriate disciplinary actions, up to and including termination.

Refer to the following Board of Education Policies for additional information:

1. Policy #6120 – EEO
2. Policy #6121 – Sexual Harassment of Personnel
3. Policy #3420 – Anti-Harassment
4. Policy #6182 – Fraternization
5. Policy #7420 – Sports
6. Policy #7550 – Student Complaints & Grievances
7. Policy # 7551 – Sexual Harassment of Students
8. Policy # 8130 – Equal Education
9. Policy # 8220 – Technical Education